

**Payson PCE and Tonto & Cherry Water Quality Assurance Revolving Fund (WQARF) Site
Community Advisory Board Meeting**

Tuesday, May 17, 2005
6:00 p.m. to 8:00 p.m.
Gila Community College
201 Mud Springs Road
Payson, Arizona

FINAL MINUTES

Ref: PIOUS #05-068

CAB Members Present: Dr. Nel Gusimat, D.C., Roger Hattrup, Robin Morris, Jean Riddell, John Shoemaker, Damian Wiseman, James Winter

CAB Members Absent: James Ehrhardt, Michelle Ann Dyer

ADEQ Staff in Attendance: David Haag, Hydrologist, Wendy Flood, Community Involvement Coordinator, Samantha Roberts, Remedial Projects Unit Manager, Chris Gamanche, Project Manager

Members of the Public Present: Dorothy Ehrig

The following matters were discussed, considered, and decided at the meeting:

1. Welcome and Introductions-

Mrs. Wendy Flood started the meeting at 6:10 and turned the meeting over to Dr. Nel Gusimat, CAB Co-Chair. Introductions were conducted of attendees as listed in these minutes.

2. Acceptance or Changes to February 18, 2004 and May 25, 2004 minutes -

Mrs. Flood stated a request was made to have the February 18, 2004 minutes on the agenda even though they were approved at the May 25, 2004 meeting. The minutes were mailed out. It is on the agenda to reiterate what the amendment was, revoke and approve them. Mr. Robin Morris indicates that he has issues with the wording and what the amendment was supposed to say. Mr. Robin Morris commented that the amendment, as typed on the minutes, was not correct. Mrs. Flood stated that she located the tape of the May 25, 2004 meeting and was able to listen to the proceedings. Mrs. Flood repeated the amendment as transcribed from the tape of the May 25, 2004 meeting to the CAB members;

"The only known source of MTBE found within the Town of Payson is from the area of the Payson WQARF site, before carbon treatment. There has been trace detections of MTBE after treatment, less than 1 ppb. No other wells within the Town of Payson have detected MTBE according to Karen Probert, Town of Payson Water testing specialist. Dr. Roger Hattrup seconded the motion and it unanimously passed."

Mr. Morris stated he had an issue with it. A fellow CAB member questioned if it was based on Mr. Morris memory or if it was from the tape. Mr. Morris stated "it was based on the facts. The facts are, at the February 18, 2004 meeting, Mr. Haag was asked by Mr. Morris if there was any MTBE leaving the Payson PCE treatment plant after treatment and the answer was no. At the May 25, 2004 meeting, prior to approval of the minutes of the February 18 meeting, the board was informed by Mr. Haag that there were trace amounts of MTBE in the water, after treatment, leaving the Payson PCE treatment plant going in to the Town of Payson water system, and the minutes of February 18, 2004 need to be amended." Fellow CAB members were asked if that was not what happened. Other CAB members said they did not remember what happened. Mr. Haag only recalls reporting that there were trace amounts of MTBE and not asking for the minutes to be amended.

Mrs. Flood stated the tape confirms that Mr. Haag asked for the amendment to say trace amounts of MTBE, not any MTBE. Mrs. Flood asked what Mr. Morris's concern with the minutes is. Mr. Morris said that, "the February minutes stated that Mr. Haag said there was no MTBE. Then at the May meeting Mr. Haag came back and informed the CAB that they needed to amend the February meeting because there were trace amounts." Mr. Haag stated that he never said that. Mrs. Flood stated that from the tape he did not say that the minutes needed to be amended. The amendment came for Mr. Morris and Mr. Haag added to it. Mr. Morris informs Mrs. Flood that the CAB was told by the coordinator that the CAB had to amend the minutes. Mr. Morris indicates that he did not come out and say we had to amend the meetings. It was one of the ADEQ coordinators that said that the CAB had to amend the meeting minutes because there were trace amounts. Mr. Morris states that, "What this (May 25, 2004 meeting minutes) says is that I all of a sudden decided to amend the minutes. That is not how it was." It was suggested that the minutes record exactly what happened, whatever he said, and then if it had to be corrected, it would go into the minutes of the next meeting. Mr. Morris agreed and asked what the tape said. Mrs. Flood states that the May 25, 2004 tape said that when it came to the February 18, 2004 minutes, an amendment was proposed by Mr. Morris to say what was read to the CAB members earlier, and it was voted on and passed. Mr. Morris disagrees again. Mr. Morris again states, "ADEQ said, the coordinator said, we have to amend the minutes to say there is trace amounts."

Ms. Roberts offered to review the tapes and then send a letter to the CAB stating what the outcome is. Mr. Morris stated, "the ADEQ coordinator said the amendment had to be made." Neither Mr. Damian Wiseman nor Ms. Jean Riddle recalled that happening. Ms. Roberts asked to have time to review the minutes. Mrs. Flood commented that ADEQ does have the tapes of the February 18 and May 25, 2004 meetings and she will also

review them. Mr. Morris states, "I will not approve minutes with my name on the amendment." ADEQ will let the record show that the February 18, 2004 minutes were not approved due to the amendment clarification. The tapes will be reviewed by the Remedial Projects Unit Manager and a letter to clarify the issue will be mailed.

Mr. Hattrup commented that the CAB can postpone voting on the minutes until the next meeting. Mr. John Shoemaker clarified, "the dispute is who amended the minutes, not the content of the amendment. Mr. Morris disputes that in February he said no to MTBE in the water and in May he said yes to trace amounts of MTBE in the water. If you look at minutes it says that he said no." Mr. James Winter clarified, "what we are trying to do is have an accurate record of what happened and it seems that the tapes do that. Even if it was wrong at the time, but even so it should go down the way it happened. If it wants to be changed later on, then if agreed to amend, it will show in the minutes of the next meeting." Mr. Morris asked for a copy of the tape of May 25, 2005. Mrs. Flood again went over the issue that in February something was said, in May it was changed and when the minutes were sent out, they were not right. We are trying to make sure that the right change is documented. Mr. Morris requested that the tape be brought and listened to at the next CAB meet to hear what was said. Mrs. Flood also requested Mr. Morris's copy of the recording he stated he had for the same CAB meeting. Mr. Morris indicated that he was unsure if he can get the tape for the next meeting.

Mr. Morris requested a transcription of the minutes to reflect what was said today. It was moved by Mr. John Shoemaker and seconded by Mr. James Winter to postpone both sets of minutes, February 18, 2004 and May 25, 2004. It was voted on and unanimously passed. Three sets of minutes will be voted on at the next CAB meeting.

3. Update of Current Status and Activities at Payson WQARF sites-

Mr. Chris Gamache presented a power point presentation to the CAB members. Copies of the presentation were given to CAB members and members of the public. The site update was a comparison of the March 2004 and March 2005 sampling data. Groundwater flow and elevation were discussed in the three units found within the WQARF site. Mr. Gamache explained the acronyms of the three soil units used in the presentation. A water contour map was presented that showed the direction of groundwater flow for March 2004 from the upper unit. The groundwater was shown to be moving in towards the center of WQARF site to the treatment system. Mr. Gamache showed similar groundwater flow directions for all three units for March 2004. Mr. Gamache indicated that March 2005 groundwater elevation data has not changed enough for a new map. A PCE contour concentration map was presented for each of the units using data from March 2004. Maps showed the outline of the December 1999 data. March 2004 data show concentrations of 5ppb of PCE. Two wells with the higher PCE concentrations were distinguished; SW3a 32 ppb and DMW1B 13 ppb. In March 2005, the two wells showed a decrease in the PCE concentration for the same unit. The data shows a decrease in PCE concentrations for all three units. One well, DMW-11c, was not sampled due to construction but will be sampled in June. Overall there is a slight decrease in concentrations from a year ago. Mr. Wiseman questioned if rain and snow

affect groundwater levels. Mr. Gamache answered as of now there has been no noticeable change in groundwater elevations. The benzene and MTBE concentrations were presented. During March 2005 both benzene and MTBE were not detected in any samples during that event Mr. Gamache reported. The highest results from March 2004 were 2.3 ppb for MTBE.

Mr. Gamache discussed the fact that at Kachina Doll Trailer Park, PCE was detected above Aquifer Water Quality Standards (AWQS) at 15 ppb, and notices were given to all of the residents. Bottled water was, and still is being provided. Mr. Morris stated that for a while it was clean. Mr. Gamache responded that it is believed the Skinner well shut down has allowed for the plume to move and enter the Kachina Doll Trailer Park area. The hope is to get the Skinner Well back on line to influence the plume and get production out of that well. The location was shown to the CAB members. Mrs. Flood informs the CAB that copies of the notices that were handed out to the residents of the park are available at this meeting.

Mr. Gamache continued, in concern to future work, ADEQ met with the Town of Payson Water Department to discuss upcoming actions for the Skinner well. Normal maintenance is taking place so full capacity can be achieved of the wells.

Mr. Gamache reported that the next quarterly sampling event will be in June 2005, this is a smaller sampling event of specific wells. A full event of all wells is done twice a year. The movement of the plume and the effects of pumping were explained to CAB members by Mr. David Haag. A question was raised in regards to when residents of the Kachina Doll Trailer Park were notified. Ms. Roberts responded saying, "Notices and bottled water were given within in 24 hours of notice to ADEQ of the sampling results." Mr. Wiseman asked what is tested for in the water. Mr. Gamache stated, "there is a list of contaminants for EPA method 8260B. There are approximately 60 chemicals on that list. The analyses is performed by Del Mar laboratories." Ms. Riddel stated that the CAB used to get results from the Town of Payson on the levels of the wells and there is none now. Mr. Haag clarified it was the information from the McKamey wells, and other pump stations. Mr. Gamache will have it mailed out to the CAB members.

4. Annual Registry Report-

Mrs. Flood showed the CAB members which report in their packets was being referenced. Ms. Roberts informed the CAB that the report covers all sites on the registry and gives information about them. Ms. Roberts discussed the budget for the WQARF program and stated that the program is in line to get \$11 million for the next fiscal year. Ms. Roberts indicated that if there were any questions that the CAB members can call her. No questions were asked regarding the annual report during the meeting..

5. Discussion on the CAB Charter-

This agenda topic was originally requested by a CAB Co-Chair to discuss the amount of meetings to be held and to amend the charter. The Charter already specifies the minimum amount of meetings to be held, 4. No amendment is needed. Mr. Morris asked if the law

is broken if the CAB does not meet 4 times a year. Section 4 Letter B was read to CAB members.

Open meeting law, chapter 7, information was given to all CAB Members as per last meeting request. Mrs. Flood requested to be contacted with any questions and if discussion should be held during the next meeting on the Open Meeting law. Mr. Morris stated, "the issue is, can two members meet at separate times to discuss CAB issues." Mrs. Flood responded that as long as there is not quorum, members can meet and talk. The CAB is to involve the community, meet, talk about issues and hold such discussions. Separate meetings would take away from what the CAB is for.

6. Discussion on CAB Membership-

An e-mail was received from a CAB member resigning from the CAB, Ms. Michelle Ann Dyer. Mrs. Flood stated that it has to be presented to the CAB for their review. Mr. James Winter also submitted his resignation and his letter was read to the CAB. Mrs. Flood also informed the CAB that Edward Silber passed away. There are three CAB positions open. Mrs. Flood asked CAB members for recommendations and reminded the members that CAB applications can be obtained from ADEQ. Once received, the applications will be presented and voted on by the CAB. There needs to be 9 members on the CAB and 2 alternates. A public member wanted more information before joining. Any possible contacts should be forwarded to Mrs. Flood.

Mr. Shoemaker commented that James Ehrhardt has missed numerous meeting. Mrs. Flood read the section that deals with membership. Mr. Morris moved to remove Mr. Ehrhardt, per section 3C of the Charter. Mr. Hatrup seconded the motion and it was unanimously passed. Discussion was held on quorum and Mrs. Flood stated that quorum is half plus one. The number to reach quorum will depend on the number of CAB members. Mrs. Flood gave an example; If there are 6 CAB members, and if 4 show up then there is quorum. Mr. Shoemaker moved to make Mr. Damian Wiseman a CAB member, not an alternate. Mr. Hatrup seconded and it was unanimously passed to be a CAB member.

7. Discussion on MTBE-

Mr. Morris requested this topic on the agenda. Mr. Morris, requested test reports before and after treatment. Mr. Gamache had copies that were provided by The Town of Payson of water test results and will mail them out to CAB members because there was only one copy at the meeting. Mr. Morris asked for the account number for reference at Del Mar to get results himself. Ms. Roberts stated that she wasn't sure if that was allowed by the client privilege. ADEQ will give out the reports but would rather get all the information, organize it and present it to the CAB. Mr. Morris again stated he needed the P.O. number, account number, etc. Mr. Morris's issue is that there was trace amounts of MTBE in the effluent and it was shared that none of the other wells had trace amounts. Mr. Haag stated Karen Probert said that in February. There is a dialogue back and forth between ADEQ and Town of Payson. Mr. Morris is concerned about the 2004 Town of Payson Water Quality Assurance Report that states that MTBE in 2001 was non-detect. The CAB

was reminded that ADEQ gets results from the Town of Payson. Information presented on trace amounts came from the Town of Payson. Mr. Morris states that, "since the town wouldn't and has not informed the people, that ADEQ should do a press release saying, according to the charter, that there were trace amounts of MTBE in the Payson water and the dates. They (top) won't do it. The people have a right to know what is in their water." Mr. Shoemaker responded, "if it does not exceed the standards of the government it is not a concern. Is there anyway of knowing the effects of MTBE on people." Mrs. Riddle states, "the people should know." Mr. Morris offers before the board, a motion "to authorize ADEQ to inform both newspapers, the town council, and the radio station that there have been trace amounts of MTBE, which pumped into the town water from the Payson PCE plant". Mr. Wiseman seconded, discussion was requested. Ms. Roberts made sure that everyone understood how the treatment system works and the data now shows no detect. Mr. Morris stated, "the press release should state the dates of the trace amounts entering into the water." Mr. Shoemaker commented, "it might be putting ADEQ in a difficult position and it might not be their job or not. The wells are tested by the town and they should do the press release." Mr. Morris stated, "I have tried and asked the town to do so and they won't do it." Mr. Wiseman brought up that if the city is monitoring they should be the ones to release the information? Ms. Roberts responded that ADEQ only gets the results. Mr. Morris wants the results from when there were trace amounts of MTBE at the next meeting: bring whatever the facts are. Mr. Winter discussed the issue of standards and that no standard was exceeded, trace amounts have no consequence and there is no obligation to do a public release. Mr. Winter stated that "doing a press release might cause more harm than good." Mr. Haag explained that the treatment system has to be shut down if the concentrations of MTBE exceed 17 ppb. Discussion ensued on the levels and standards for MTBE.

Dr. Nel commented she agreed with Mr. Morris that the public should be informed but the letter should be to the town not the newspapers. It should state the intentions of the CAB and the issues. The CAB board would have a greater impact and give the council time to respond. Mr. Morris agreed with what Dr. Nel commented on. The resolution should be passed on to the town residents. Dr. Nel moved to amend the motion to state that the CAB will write a letter to the town council, ask them to address the issue of trace amounts of MTBE, and share the findings with public. The CAB discussed the content of the letter further. Mrs. Flood went over Dr. Nel's amendment: The advisory board will write a letter to the town council, asking that they publish, and that they address the fact that trace amounts of MTBE were in the public water and passed on to the public. Mr. Winter commented that the rationale of the letter be the fact that, "because there is no standard for MTBE, and trace amount were found, the public has a right to know." The CAB will draft the letter, Ms. Roberts stated that ADEQ will not write the letter. Mr. Hattrup seconded Dr. Nel's amendment to Mr. Morris's motion. The amendment was passed. Mr. Morris withdrew his original motion. It was requested that the co-chairs get all facts checked and approved by ADEQ, not write the letter, just check the facts. Dr. Nel has an example of a letter that was written by a different advisory board and will use that as a template. Mr. Morris asked, "who is going to clean it up?" Mr. Gamache stated that, "there currently is no MTBE in the WQARF site." Mr. Shoemaker questions the letter if

there is no MTBE from the WQARF site. Mrs. Flood explained that letter is addressing that the trace amounts were from 2001. Mr. Morris corrects Mrs. Flood and adds there was some in 2004 also. Mr. Morris has a letter from Karen Probert that indicates there were some trace amounts in 1998 as well. Mr. Morris asked, "who does the sampling?" Mr. Haag answered that the Town does the sampling and sends the sample to the lab. Mr. Morris states his frustration stems from a call he placed to Mrs. Probert back in 1997 and 1998. "I asked her if there was any MTBE in Payson drinking water, Mrs. Probert said no. Then after the call, I sent a letter regarding that conversation. Mrs. Probert responded that she said no because there is no standard but there is trace amounts". The letter will be drafted by the co-chairs with other CAB members input. The letter can be mailed once it is ready. ADEQ suggested that all the CAB contribute and read over the letter.

8. Call to the Public-

Ms. Dorothy Ehrig asked, "what systems are in place to handle MTBE?" Mr. Gamache explained that the current system will handle MTBE, specifically the carbon vessels remediate the MTBE to an extent. Mr. Hattrup questioned the concentration of MTBE that has to be removed. In March of 2005 there were no detections, below standard, before and after treatment, no trace amounts, all non-detect. Mr. Gamache clarified that the proper verbiage when referring to lab results is non-detect. Mr. Gamache explained that the labs have a minimum of 0.5 ppb for MTBE so non-detect is different from saying zero detection. Anything below the laboratory reporting limit is not detectable by the laboratory.

9. Future Meeting Plans and Agenda Discussion-

Mr. Wiseman asked when data would be available to warrant a meeting. ADEQ suggested that the CAB meet in September since the next sampling event is in June. Mr. Morris asked how can the CAB not break the law by not having the 4 meetings a year. Mrs. Flood gave the options for meeting three more times but Mr. Gamache was not positive there would be results if the CAB met any sooner than September. It was mentioned that with the exception of the letter there wasn't anything else to discuss before September. Mrs. Flood stated that if other CAB applications come in we can vote on them and also vote on CAB co-chairs. Dr. Nel inquired on a previous request for a site visit and perhaps to have a CAB meeting at that time. ADEQ will check with the Town on dates and time to have the site visit. Mr. Gamache reminded the CAB members that he has the results of the monthly tests results for viewing after the meeting. A copy can be mailed since there is only one copy. All CAB members said they wanted copies. Mrs. Flood stated the applications are available from her anytime for prospective members. A fact sheet can be done and incorporate a CAB membership request to help gain more members. Dr. Nel stated, "if CAB applications are received then the CAB should meet before September in conjunction with a site visit. The visit is open to the public." The next meeting was set for Tuesday, September 13th from 6 to 8 p.m. The CAB would like information at the next meeting as follows:

- Where in the WQARF process the Payson PCE falls
- An update on Tonto and Cherry
- Discussion and voting of CAB applications

- Revoting on CAB Co-Chairs
- How to do meeting minutes.

Mr. Shoemaker moved and Mr. Hatstrup seconded, the meeting was adjourned.